

subtitle. Such regulations shall provide examples of reasonable accommodations addressing known limitations related to pregnancy, childbirth, or related medical conditions.

SEC. 1075. DEFINITIONS.

As used in this subtitle—

(1) the term “Commission” means the Equal Employment Opportunity Commission;

(2) the term “covered entity”—

(A) has the meaning given the term “respondent” in section 701(n) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(n)); and

(B) includes—

(i) an employer, which means a person engaged in industry affecting commerce who has 15 or more employees as defined in section 701(b) of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e(b));

(ii) an employing office, as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301) and section 411(c) of title 3, United States Code;

(iii) an entity employing a State employee described in section 304(a) of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e-16(a)); and

(iv) an entity to which section 717(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16(a)) applies;

(3) the term “employee” means—

(A) an employee (including an applicant), as defined in section 701(f) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(f));

(B) a covered employee (including an applicant), as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301);

(C) a covered employee (including an applicant), as defined in section 411(c) of title 3, United States Code;

(D) a State employee (including an applicant) described in section 304(a) of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e-16(a)); or

(E) an employee (including an applicant) to which section 717(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16(a)) applies;

(4) the term “person” has the meaning given such term in section 701(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(a));

(5) the term “known limitation” means physical or mental condition related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions that the employee or employee’s representative has communicated to the employer whether or not such condition meets the definition of disability specified in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102);

(6) the term “qualified employee” means an employee or applicant who, with or without reasonable accommodation, can perform the essential functions of the employment position, except that an employee or applicant shall be considered qualified if—

(A) any inability to perform an essential function is for a temporary period;

(B) the essential function could be performed in the near future; and

(C) the inability to perform the essential function can be reasonably accommodated; and

(7) the terms “reasonable accommodation” and “undue hardship” have the meanings given such terms in section 101 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111) and shall be construed as such terms are construed under such Act and as set forth in the regulations required by this subtitle, including with regard to the interactive process that will typically be used to determine an appropriate reasonable accommodation.

SEC. 1076. WAIVER OF STATE IMMUNITY.

A State shall not be immune under the 11th Amendment to the Constitution from an action in a Federal or State court of competent jurisdiction for a violation of this subtitle. In any action against a State for a violation of this subtitle, remedies (including remedies both at law and in equity) are available for such a violation to the same extent as such remedies are available for such a violation in an action against any public or private entity other than a State.

SEC. 1077. RELATIONSHIP TO OTHER LAWS.

Nothing in this subtitle shall be construed—

(1) to invalidate or limit the powers, remedies, and procedures under any Federal law or law of any State or political subdivision of any State or jurisdiction that provides greater or equal protection for individuals affected by pregnancy, childbirth, or related medical conditions; or

(2) by regulation or otherwise, to require an employer-sponsored health plan to pay for or cover any particular item, procedure, or treatment or to affect any right or remedy available under any other Federal, State, or local law with respect to any such payment or coverage requirement.

SEC. 1078. SEVERABILITY.

If any provision of this subtitle or the application of that provision to particular persons or circumstances is held invalid or found to be unconstitutional, the remainder of this subtitle and the application of that provision to other persons or circumstances shall not be affected.

SA 4588. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. REQUIREMENT OF DENTAL CLINIC OF DEPARTMENT OF VETERANS AFFAIRS IN EACH STATE.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall ensure that each State has a dental clinic of the Department of Veterans Affairs to service the needs of the veterans within that State.

(b) EFFECTIVE DATE.—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SA 4589. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. GOLD ACT.

(a) SHORT TITLE.—This section may be cited as the “Guarantee Oversight and Litigation on Doping Act” or the “GOLD Act”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the punishment of Russia for persistent decades-long state-run doping fraud by the international sport governance structure has been insufficient and Russia’s competing status as “ROC” at Tokyo 2020 demonstrates to authoritarian states around the world that systematic doping will be tolerated; and

(2) aggressive enforcement of the Rodchenkov Anti-Doping Act of 2019 (21 U.S.C. 2401 et seq.) can create the deterrent required to curb doping fraud as the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd-1 et seq.) curbed foreign bribery and the Department of Justice and the Federal Bureau of Investigation should prioritize enforcement of the Rodchenkov Anti-Doping Act of 2019 (21 U.S.C. 2401 et seq.).

(c) PREDICATE OFFENSES.—Part I of title 18, United States Code, is amended—

(1) in section 1956(c)(7)(D)—

(A) by striking “or section 104(a)” and inserting “section 104(a)”; and

(B) by inserting after “North Korea” the following: “, or section 3 of the Rodchenkov Anti-Doping Act of 2019 (21 U.S.C. 2402) (relating to prohibited activities with respect to major international doping fraud conspiracies)”; and

(2) in section 1961(1)—

(A) by striking “or (G) any act” and inserting “(G) any act”; and

(B) by inserting after “section 2332(b)(g)(5)(B)” the following: “, or (H) any act that is indictable under section 3 of the Rodchenkov Anti-Doping Act of 2019 (21 U.S.C. 2402)”.

(d) LIMITATION.—An athlete (as defined in section 2 of the Rodchenkov Anti-Doping Act of 2019 (21 U.S.C. 2401)) may not be prosecuted for any offense for which a violation of section 3 of the Rodchenkov Anti-Doping Act of 2019 (21 U.S.C. 2402) was the predicate offense, including under section 371, 1952, 1956, or 1957 or chapter 96 of title 18, United States Code.

SA 4590. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1054. REPORT ON NAVY PLAN TO ADDRESS ILLEGAL, UNREPORTED, AND UNREGULATED (IUU) FISHING IN EDUCATIONAL CURRICULUM.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report on the Department of the Navy’s current and future plans for addressing illegal, unreported, and unregulated (IUU) fishing in educational curriculum, including a detailed description of the current and future inclusion of IUU fishing in the Navy’s training and educational curricula throughout its schools, including the Naval War College and the United States Naval Academy.

SA 4591. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. ____ . DEVELOPMENT AND TESTING OF DYNAMIC SCHEDULING AND MANAGEMENT OF SPECIAL ACTIVITY AIRSPACE.

(a) SENSE OF CONGRESS ON SPECIAL ACTIVITY AIRSPACE SCHEDULING AND MANAGEMENT.—It is the sense of Congress that—

(1) where it does not conflict with safety, dynamic scheduling and management of special activity airspace (also referred to as “dynamic airspace”) is expected to optimize the use of the national airspace system for all stakeholders; and

(2) the Administrator of the Federal Aviation Administration and the Secretary of Defense should take such actions as may be necessary to support ongoing efforts to develop dynamic scheduling and management of special activity airspace, including—

(A) the continuation of formal partnerships between the Federal Aviation Administration and the Department of Defense that focus on special activity airspace, future airspace needs, and joint solutions; and

(B) maturing research within their federally funded research and development centers, Federal partner agencies, and the aviation community.

(b) PILOT PROGRAM.—

(1) PILOT PROGRAM REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the Secretary of Defense, shall establish a pilot program on developing and testing dynamic management of special activity airspace supported by efficient scheduling capabilities.

(2) TESTING OF SPECIAL ACTIVITY AIRSPACE SCHEDULING AND MANAGEMENT.—Under the pilot program established under paragraph (1), the Administrator and the Secretary shall jointly test not fewer than three areas of special activity airspace designated by the Federal Aviation Administration for use by the Department of Defense, of which—

(A) at least one shall be over coastal waters of the United States; and

(B) at least two shall be over land of the United States.

(c) REPORT.—Not less than two years after the date of the establishment of the pilot program under subsection (b)(1), the Administrator and Secretary shall submit to the following congressional committees a report on the interim results of the pilot program:

(1) The Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate.

(2) The Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Armed Services of the House of Representatives.

(d) DEFINITION OF SPECIAL ACTIVITY AIRSPACE.—In this section, the term “special activity airspace” means the following airspace with defined dimensions within the National Airspace System wherein limitations may be imposed upon aircraft operations:

(1) Restricted areas.

(2) Military operations areas.

(3) Air Traffic Control assigned airspace.

SA 4592. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr.

REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 704. IMPLEMENTATION OF INTEGRATED PRODUCT FOR MANAGEMENT OF POPULATION HEALTH ACROSS MILITARY HEALTH SYSTEM.

(a) IN GENERAL.—The Secretary of Defense shall develop and implement an integrated product for the management of population health across the military health system, which shall be designed—

(1) to serve as a repository for the health care, demographic, and other relevant data of all covered beneficiaries, including with respect to data on health care services furnished to such beneficiaries through the purchased care and direct care components of the TRICARE program;

(2) to be compatible with the electronic health record system maintained by the Secretary of Defense for members of the Armed Forces;

(3) to enable the coordinated case management of covered beneficiaries with respect to health care services furnished to such beneficiaries at military medical treatment facilities and at private sector facilities through health care providers contracted by the Department of Defense;

(4) to enable the collection and stratification of data from multiple sources to measure population health goals, facilitate disease management programs of the Department, improve patient education, and integrate wellness services across the military health system; and

(5) to enable predictive modeling to improve health outcomes for patients and to facilitate the identification and correction of medical errors in the treatment of patients, issues regarding the quality of health care services provided, and gaps in health care coverage.

(b) DEFINITIONS.—In this section:

(1) COVERED BENEFICIARY; TRICARE PROGRAM.—The terms “covered beneficiary” and “TRICARE program” have the meanings given such terms in section 1072 of title 10, United States Code.

(2) INTEGRATED PRODUCT.—The term “integrated product” means an electronic system of systems (or solutions or products) that provides for the integration and sharing of data to meet the needs of an end user in a timely and cost effective manner.

SA 4593. Mrs. GILLIBRAND (for herself, Mr. RUBIO, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XV, insert the following:

SEC. ____ . ESTABLISHMENT OF STRUCTURE AND AUTHORITIES TO ADDRESS UNIDENTIFIED AERIAL PHENOMENA.

(a) ESTABLISHMENT OF ANOMALY SURVEILLANCE AND RESOLUTION OFFICE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Director of National Intelligence, establish an office within an appropriate component of the Department of Defense, or within a joint organization of the Department of Defense and the Office of the Director of National Intelligence, to assume—

(A) the duties of the Unidentified Aerial Phenomenon Task Force, as in effect on the day before the date of the enactment of this Act; and

(B) such other duties as are required by this section.

(2) DESIGNATION.—The office established under paragraph (1) shall be known as the “Anomaly Surveillance and Resolution Office” (in this section referred to as the “Office”).

(3) TERMINATION OR SUBORDINATION OF PRIOR TASK FORCE.—Upon the establishment of the Anomaly Surveillance and Resolution Office, the Secretary shall terminate the Unidentified Aerial Phenomenon Task Force or subordinate it to the Office.

(b) FACILITATION OF REPORTING AND DATA SHARING.—The Director and the Secretary shall each, in coordination with each other, require that—

(1) each element of the intelligence community and the Department, with any data that may be relevant to the investigation of unidentified aerial phenomena, make such data available immediately to the Office; and

(2) military and civilian personnel employed by or under contract to the Department or an element of the intelligence community shall have access to procedures by which they shall report incidents or information, including adverse physiological effects, involving or associated with unidentified aerial phenomena directly to the Office.

(c) DUTIES.—The duties of the Office established under subsection (a) shall include the following:

(1) Developing procedures to synchronize and standardize the collection, reporting, and analysis of incidents, including adverse physiological effects, regarding unidentified aerial phenomena across the Department and in consultation with the intelligence community.

(2) Developing processes and procedures to ensure that such incidents from each component of the Department and each element of the intelligence community are reported and incorporated in a centralized repository.

(3) Establishing procedures to require the timely and consistent reporting of such incidents.

(4) Evaluating links between unidentified aerial phenomena and adversarial foreign governments, other foreign governments, or nonstate actors.

(5) Evaluating the threat that such incidents present to the United States.

(6) Consulting with other departments and agencies of the Federal Government, as appropriate, including the Federal Aviation Administration, the National Aeronautics and Space Administration, the Department of Homeland Security, the National Oceanic and Atmospheric Administration, and the Department of Energy.

(7) Consulting with allies and partners of the United States, as appropriate, to better assess the nature and extent of unidentified aerial phenomena.